

Core Services Category: Juvenile Justice Facilities and Services Oversight

Study Area: Consolidation/Elimination

High Level Recommendation: Repeal Section 32A-7A-1 through 32A-7A-8 NMSA 1978 which created the Juvenile Public Safety Advisory Board.

Problem Statement:

The Juvenile Public Safety Advisory Board's operating budget consists of only funding for board expenses, and currently the board relies on the Children, Youth and Families Department (CYFD) for administrative support.

Background and Findings:

- Section 32A-7A-1 through 32A-7A-8 created the Juvenile Public Safety Advisory Board which consists of seven governor appointees. The board reviews programs and initiatives, makes recommendations to CYFD on adjudicated youth programs, and conducts onsite facility inspections and visits. The Juvenile Public Safety Advisory Board is administratively attached to CYFD.
- CYFD implemented the Cambiar New Mexico initiative based on the Missouri model which eliminated the need for a Juvenile Parole Board. The statute changed creating release panels within juvenile justice service that are now the releasing authority for committed juveniles instead of the Juvenile Parole Board. The Juvenile Parole Board changed to the Juvenile Public Safety Advisory Board and its mission changed to citizen oversight. The Juvenile Public Safety Advisory Board members sit on the release panel and share one vote for or against the release of a youth offender from a state secure juvenile facility.
- Independent oversight for juvenile justice facilities and services is also provided by the American Civil Liberties Union, Juvenile Justice Commission, New Mexico Sentencing Commission's Juvenile Committee and various advocacy groups.
- In FY10, Juvenile Public Safety Advisory Board's budget was reduced by \$210.6 thousand, or 48.4 percent, from the FY09 adjusted budget and 3 FTE were eliminated. In FY11, the agency's budget was reduced to only board expenses and the remaining 3 FTE were eliminated.

Juvenile Public Safety Advisory Board's
General Fund Appropriations (in thousands)

	General Fund	FTE
FY07	\$395.4	6
FY08	\$434.0	6
FY09	\$446.0	6
FY10	\$224.2	3
FY11	\$24.1	0

Source: Juvenile Public Safety Advisory Board and LFC Files

Options to Consider:

1. Move the Juvenile Public Safety Advisory Board and its duties to CYFD, and reevaluate the number of board members required to fulfill the duties of the board. CYFD noted a viable alternative that would accomplish the goals of the board would be to have the board remain in place but with only one member who would sit on the facility release panel that has one vote.

Fiscal Implications:

- Eliminating the Juvenile Public Safety Advisory Board would produce a potential savings of \$24.1 thousand.
- CYFD reported the cost for one board member would be approximately \$5,000.

Implementation Plan:

- Changes to the Juvenile Public Safety Advisory Board regarding funding for FY12 should also be reflected in the LFC and Executive recommendation contingent upon passage of legislation repealing Section 32A-7A-1 through 32A-7A-8 NMSA 1978 which created the board.
- Key stakeholders are the board members of the Juvenile Public Safety Advisory Board, New Mexico Sentencing Commissions Juvenile Board, CYFD's Juvenile Justice Facilities Program, American Civil Liberties Union and juvenile justice advocates.

Other Significant Issues:

- CYFD reported the department realizes the importance of having a member of the community participate in the facility release panel and of having independent oversight of release decisions and department operations. It is for these reasons the department would like to have the board remain.